

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BYRON ZABALA,

Defendant.

Criminal No.: 11-879 (JLL)

ORDER

This matter comes before this Court by of: (1) the Government's Motion in Limine [Docket Entry No.24]; (2) Defendant Byron Zabala ("Defendant")'s Motion in Limine [Docket Entry No. 25]; and Defendant's Notice of Intention to Rely upon Insanity Defense filed pursuant to Fed. R. Crim. P. 12.2(a) and (b) [Docket Entry No. 26]. Having considered the submissions of the Parties, and for the reasons set forth on the record at this Court's February 16, 2012 hearing,

IT IS on this 11 day of February, 2012,

ORDERED that the Government's request to redact the Indictment is **GRANTED**; and it is further

ORDERED that the Government's request for approval of its preliminary instruction regarding social media is **GRANTED**; and it is further

ORDERED that the Government's motion to call case agent witness SA Mischler ("case agent witness") to the stand two times pursuant to FRE 611(a) is **GRANTED**; and it is further

ORDERED that the Government's motion to allow said case agent witness to be present

in court rather than sequestered is **GRANTED**; and it is further

ORDERED that the Government's motion to preclude the presentation of evidence regarding the soundness of immigration decisions to negate the "corrupt" intent required under 18 U.S.C. § 201 is **GRANTED**; and it is further

ORDERED that the Government's motion to preclude the presentation of evidence of Defendant's religious beliefs exclusively as a defense to prosecution is **GRANTED**; and it is further

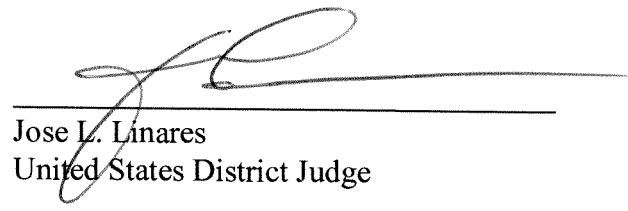
ORDERED that, given Defendant's representations that he will be able to secure evaluations from a psychological and religious expert within two (2) weeks of the issuance of this Order, the Court will reserve on whether to preclude Defendant from offering an insanity defense at trial subsequent to its review of those submissions; and it is further

ORDERED that Defendant shall submit for the Court's review evaluations resulting from the experts' examinations of Defendant on or before **March 1, 2012**; and it is further

ORDERED that Defendant shall comply with discovery requests of the Government made pursuant to Fed. R. Civ. P. 16(b)(1)(c) regarding said expert witnesses; and it is further

ORDERED that the Government shall file any opposition to Defendant's notice of intention to rely upon an insanity defense, whether regarding the said defense or introduction of expert evidence relating thereto, on or before **March 7, 2012**.

IT IS SO ORDERED.



Jose L. Linares
United States District Judge